**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,	)	**CASE NO. 8:06CR367**
	)	
Plaintiff,	)	
	)	
vs.	)	**TENTATIVE FINDINGS**
	)	
FEDERICO RIVAS,	)	
	)	
Defendant.	)	

The Court has received the Presentence Investigation Report ("PSR") in this case.

The parties have not objected to the PSR. *See* Order on Sentencing Schedule, ¶ 6. The

government adopted the PSR. (Filing No. 44.) The Court advises the parties that these

Tentative Findings are issued with the understanding that, pursuant to *United States v.*

Booker, 2005 WL 50108 (U.S. Jan. 12, 2005), the sentencing guidelines are advisory.

The Court notes, however, that the Defendant's first name is "Federico," and

therefore the PSR must be changed to reflect the correct spelling before the PSR is sent

to the Bureau of Prisons. (Filing No. 36.)

IT IS ORDERED:

1.   The Probation Officer shall change the spelling of the Defendant's first name

to match the spelling in the Information before sending the PSR to the Bureau of Prisons;

2.   Otherwise, the parties are notified that my tentative findings are that the PSR

is correct in all respects;

3.   If **any** party wishes to challenge these tentative findings, the party shall

immediately file in the court file and serve upon opposing counsel and the Court a motion

challenging these tentative findings, supported by (a) such evidentiary materials as are

required (giving due regard to the requirements of the local rules of practice respecting the

submission of evidentiary materials), (b) a brief as to the law, and (c) if an evidentiary hearing is requested, a statement describing why an evidentiary hearing is necessary and an estimated length of time for the hearing;

4.   Absent submission of the information required by paragraph 2 of this Order, my tentative findings may become final; and

5.   Unless otherwise ordered, any motion challenging these tentative findings shall be resolved at sentencing.

DATED this 23rd day of July, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge